

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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NICHOLAS AST,

Plaintiff(s),

v.

Case No. 10-C-724

H&P CAPITAL INC,

Defendant(s).

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**ORDER DISMISSING CASE FOR LACK OF PROSECUTION**

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On March 14, 2011, notice was issued to plaintiff(s) that this case would be dismissed after 21 days pursuant to Civil L.R. 41(b) (E.D. Wis.) unless plaintiff(s) indicated a desire to further prosecute the action. As stated in the notice, six months have elapsed since the filing of the complaint without the filing of any answer or motion for default judgment and, therefore, Civil L.R. 41(b) allows the court to dismiss the action without prejudice after notice to plaintiff(s).

To date, no intent to prosecute this action has been shown and no motion for default judgment has been filed in response to the notice.

THEREFORE, IT IS ORDERED that this case is dismissed without prejudice pursuant to Civil L.R. 41(b).

Dated this 6th day of April, 2011.

s/ William C. Griesbach

WILLIAM C. GRIESBACH

United States District Judge